



PRESS RELEASE

For Immediate Release

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800 MHz Transition Administrator to Open Filing Window for EA Elections

Filing Instructions and Supporting Information Provided

January 11, 2006, Washington, D.C. – 800 MHz Transition Administrator, LLC (“TA”) today announced that it is opening a 20-day filing window on January 18, 2006 for new elections and modifications to existing elections to relocate to or remain in the new Enhanced Specialized Mobile Radio (“ESMR”) Band, pursuant to the Federal Communications Commission (“FCC ” or “Commission”) Order, Improving Public Safety in the 800 MHz Band, WT Docket 02-55, *Memorandum Opinion and Order*, released October 5, 2005 (“Memorandum Opinion and Order”), in which the FCC directed the TA to open the 20-day filing window. The last day on which the TA will accept elections is February 6, 2006.

During this filing window:

1. Economic Area (“EA”) licensees in the 800 MHz band with 800 MHz Cellular Systems (as defined by the FCC in the Memorandum Opinion and Order) as of November 22, 2004 may file new elections to relocate to or remain in the ESMR Band;
2. EA licensees in the 800 MHz band that did not operate an 800 MHz Cellular System (as defined by the FCC in the Memorandum Opinion and Order) as of November 22, 2004 and did not make a previous EA election to relocate to or remain in the ESMR Band may file a new election to relocate to or remain in the ESMR Band; and
3. EA licensees in the 800 MHz band who previously elected to relocate to or remain in the ESMR Band may supplement, modify, rescind, or affirm their previous elections in light of the rule changes and clarifications in the Memorandum Opinion and Order.

EA licensees who previously elected to relocate to or remain in the ESMR Band and elect to opt out of relocating to or remaining in the ESMR Band may file a Guard Band election during the filing window along with their rescission of the previous election.

EA licensees electing to move site-based licenses may move only those licenses that were part of its integrated EA-based communications system as of November 22, 2004. EA licensees



electing to move to the ESMR Band must relocate and convert their EA licenses and the associated site-based licenses to ESMR technology and provide ESMR service to customers by the end of the EA license term. The Commission has stated that failure to certify the implementation of ESMR technology by the end of the EA license term will result in the automatic cancellation of the EA license and any associated site-based licenses. Licensees should consult Paragraphs 26-27 of the Memorandum Opinion and Order regarding this Commission requirement. Costs of licensees electing to move to the ESMR Band that did not have a constructed ESMR system as of November 22, 2004 will be limited to reasonable transactional costs (e.g., legal and engineering fees directly related to determining comparable spectrum) and no "hardware related" expenses.

EA licensees operating an 800 MHz Cellular System as of November 22, 2004 and electing to relocate to or remain in the ESMR Band will receive exclusive, incumbent-free use of their new EA channels in the ESMR Band. Other EA licensees electing to relocate to or remain in the ESMR Band will receive only the same unencumbered coverage area, i.e., the "white area," of their EA licenses as was held on November 22, 2004. Relocated site-based licenses are limited to the same 40 dBµV/m service contour that they had as of November 22, 2004.

All licensees electing to move to or remain in the ESMR Band should consult the FCC's Memorandum Opinion and Order, which can be found on the FCC website at <http://800mhz.gov/downloads/FCC-05-174A1.pdf>. Licensees unsure of their eligibility to file ESMR elections should consult the definitions of SMR and ESMR in Section 90.7 of the FCC's rules and the definition of "800 MHz Cellular System" in Appendix B, ¶165 of the FCC's Memorandum Opinion and Order.

EA licensees with systems in Wave 1 will be receiving shortly a communication from the TA providing details regarding the application of the alternative dispute resolution ("ADR") process pending the completion of these new elections.

Filing Timeframes and Instructions. EA licensees should submit new and modified elections beginning January 18, 2006 and no later than February 6, 2006. Elections should contain a notarized signature and should be sent in .pdf format to the TA at elections@800TA.org or by fax to (866) 432-8317 (this is a voicemail service that automatically will accept faxes). The TA will provide confirmation of receipt of elections. In addition to e-mailing or faxing, paper copies of elections with original signatures should be sent to:

800 MHz Transition Administrator, LLC
c/o Steve Lederman
Squire, Sanders & Dempsey L.L.P.
1201 Pennsylvania Ave., N.W.
P.O. Box 407
Washington, D.C. 20044-0407

Licensees filing or modifying elections are also requested to file a copy of their new or modified elections with the FCC in WT Docket No. 02-55.



Supporting Information.

1. New Elections

EA licensees making new elections should provide the following information in support of their elections:

- Contact information –name, address, phone number and email address;
- Call signs of all relevant licenses (including EA and site-based licenses), cross-referenced by EA;
- Statement that licensee wishes to:
 - (1) relocate to the ESMR Band; or
 - (2) remain in the ESMR Band as an ESMR.
- If applicable, statement that licensee was operating an 800 MHz Cellular System as of November 22, 2004. An 800 MHz Cellular System as defined by the FCC in the Memorandum Opinion and Order is “[i]n the 806-824 MHz/ 851-869 band, a system that uses multiple, interconnected, multi-channel transmit/receive cells capable of frequency reuse and automatic handoff between cell sites to serve a larger number of subscribers than is possible using non-cellular technology.”
- If claiming operation of an 800 MHz Cellular System and relocating licenses as part of that system, documentary evidence of an operating 800 MHz Cellular System as of November 22, 2004 and showing that licenses to be relocated were part of the cellular system as of November 22, 2004.
- For EA licensees electing to relocate site-based licenses, documentary evidence that each site-based license was an integral part of the EA-based system as of November 22, 2004. A site-based license is an integral part of the EA-based system if it is located (1) within the geographical boundaries of the relevant EA, (2) outside the geographical boundaries of the EA, but with a 40 dBµV/m contour that intersects the EA boundary; or (3) outside the geographical boundaries of the EA, but with a 40 dBµV/m contour that, in combination with other of the licensee’s stations with mutually intersecting 40 dBµV/m contours, forms a contiguous footprint with the EA boundaries. In the case of a non-overlapping station, a licensee may present facts and corroborating evidence to show that the isolated station is an integral part of the EA-based system. Such facts might include, without limitation, that the station is served by the same switch as the EA-based system or that the station’s coverage area is part of the service area for subscribers to the EA-based system.



- A signed and dated certification under penalty of perjury that the information provided in the election is true and correct. Filers should consult 47 C.F.R. §1.16 for the appropriate form of certification.

2. Licensees with Existing Elections

EA licensees with previous elections to relocate to or remain in the ESMR Band should provide the following information in support of their elections if they are changing their election or include site-based licenses as part of the election:

- Current contact information – name, address, phone number and email address;
- Call signs of all relevant licenses (including EA and site-based licenses), cross-referenced by EA;
- Statement that licensee wishes to:
 - (1) relocate to the ESMR Band; or
 - (2) remain in the ESMR Band and operate as an ESMR; or
 - (3) rescind its previous election in whole or part.
- If claiming to be an ESMR as of November 22, 2004 and relocating licenses as part of the ESMR system, documentary evidence of an operating 800 MHz Cellular System as of November 22, 2004 and a showing that licenses to be relocated were part of the cellular system as of November 22, 2004. An 800 MHz Cellular System as defined by the FCC in the Memorandum Opinion and Order is “[i]n the 806-824 MHz/ 851-869 band, a system that uses multiple, interconnected, multi-channel transmit/receive cells capable of frequency reuse and automatic handoff between cell sites to serve a larger number of subscribers than is possible using non-cellular technology.”
- If electing to relocate site-based licenses, documentary evidence that each site-based license was an integral part of the EA-based system as of November 22, 2004. A site-based license is an integral part of the EA-based system if it is located (1) within the geographical boundaries of the relevant EA, (2) outside the geographical boundaries of the EA, but with a 40 dBµV/m contour that intersects the EA boundary; (3) outside the geographical boundaries of the EA, but with a 40 dBµV/m contour that, in combination with other of the licensee’s stations with mutually intersecting 40 dBµV/m contours, forms a contiguous footprint with the EA boundaries. In the case of a non-overlapping station, a licensee may present facts and corroborating evidence to show that the isolated station is an integral part of the EA-based system. Such facts might include, without limitation, that the station is served by the same switch as the EA-based system or that the station’s coverage area is part of the service area for subscribers to the EA-based system.



- A signed and dated certification under penalty of perjury that the information provided in the election is true and correct. Filers should consult 47 C.F.R. §1.16 for the appropriate form of certification.

The TA requests that licensees with existing elections that do not need to supplement, change or rescind an election file a statement with the TA that they are affirming their previous election.

The TA reminds all filers that representations made to the TA are held to the same requirement of truth and candor as representations made to the FCC. Relocation requests related to licenses covering the Canadian and Mexican border areas will be deferred pending additional guidance from the FCC. The TA reserves the right to request additional information from filers at its discretion.

Those with questions regarding these procedures should contact the TA at elections@800TA.org.

About the 800 MHz Transition Administrator, LLC

800 MHz Transition Administrator, LLC ("TA LLC") is the Transition Administrator ("TA") for the reconfiguration of the 800 MHz band mandated by the Federal Communications Commission ("FCC"). TA LLC has contracted with BearingPoint, Inc., Squire, Sanders & Dempsey L.L.P. and Baseline Telecom, Inc. to perform the duties of the TA. Among its duties, the TA establishes reconfiguration guidelines, specifies replacement channels, reviews reconfiguration cost estimates, monitors payment of reconfiguration costs, manages the relocation schedule, facilitates issue resolution and administers the alternate dispute resolution process. TA LLC uses information it receives solely for the purposes of administering the 800 MHz reconfiguration process and may disclose such information to the FCC or other authorized parties pursuant to the requirements of the 800 MHz Order or other applicable laws.

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